

## REMARKS

This Response is submitted in reply to the Office Action dated November 10, 2011. Claims 29-35, 62, and 64-66 are pending in this Application, wherein Claims 19, 20, 36-40, 61, and 63 were previously withdrawn. Claims 67-93 are newly added in this Response. No new matter has been added by the amendments. Favorable reconsideration is respectfully requested.

### Rejections under 35 U.S.C. 103

The Office Action rejected:

- i. Claims 29-31, 33-35, and 62 under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication No. 2003/0105641 to Lewis ("Lewis") in view of U.S. Patent No. 6,216,227 to Goldstein et al. ("Goldstein"), and further in view of U.S. Publication 2009/0125429 to Takayama ("Takayama");
- ii. Claims 64-66 under 35 U.S.C. 103(a) as being unpatentable over Lewis, in view of Goldstein and Takayama, and further in view of U.S. Patent No. 7,392,226 to Sasaki ("Sasaki"); and
- iii. Claim 32 under 35 U.S.C. 103(a) as being unpatentable over Lewis, in view of Goldstein and Takayama, and further in view of U.S. Patent No. 6,067,532 to Gebb ("Gebb").

Applicants respectfully disagree with and traverse these rejections for at least the following reasons.

### Independent Claim 29

The cited prior art, alone or in combination, fails to disclose or suggest, at a minimum, *"(k) causing the electronic ticket platform center to: (i) assign at least one of the plurality of electronic tickets from the first information storage chip to at least a second information storage chip which is separate from the first information storage chip"* as recited in independent Claim 29.

The Patent Office selected Lewis as a base reference, but acknowledged that Lewis does not teach this element. Office Action, p. 8-10. Given this, the Patent Office modified Lewis' electronic ticketing system with Goldstein and stated:

However, Goldstein in col. 3, lines 8-23, shows “generating, storing and validating electronic tickets for multiple venues. The tickets are illustratively stored on a standard smart card, although other devices are also contemplated such as the PalmPilot by 3COM Corporation or the iButton by Dallas Semiconductor. The stored tickets may be for any occasions for which admission or passage may be pre-purchased, such as sporting events, entertainment events, airlines flights, automobile tolls, etc. Each venue for which a ticket has been stored on a smart card in accordance with a present embodiment of the invention has an associated applet stored in the smart card. A shared ticketing applet is also stored. These applets are used, as described below, to interface between the smart card and ticket/venue loading facilities and between the smart card and ticket validation devices” It therefore would be obvious to combine the teachings of Lewis and Goldstein to disclose the above limitation.

Office Action, p. 9 (emphasis removed).

As best understood, the Patent Office relied on some combination of Goldstein’s applets to teach the claimed first and second information storage chips (e.g., two venue applets, or the shared applet and a venue applet). Even if, *arguendo*, Goldstein’s applets are stored on separate storage chips (which Applicants do not concede), Goldstein does not teach that a ticket from a first applet is assigned to a second applet.

As acknowledged by the Patent Office, Goldstein teaches each venue applet corresponds to a different venue. Col. 3, ln. 8-23. Goldstein’s Fig. 2 below illustrates a smart card populated with multiple venue applets and a shared applet.

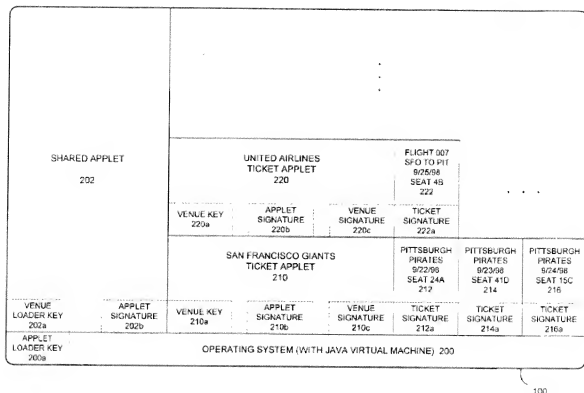


FIG. 2

As can be seen, each venue applet (e.g., 210 and 220) has a venue key, an applet signature, a venue signature, and tickets unique to the associated venue. However, Goldstein is completely silent regarding a ticket from one applet being assigned to another applet. Moreover, it would not have been obvious to assign a ticket from one venue applet to another venue applet because each ticket is designated for a specific venue. For example, a person of ordinary skill in the art would not have been motivated to assign the “Flight 007” ticket from the United Airlines Ticket Applet 220 to the San Francisco Giants Ticket Applet 210 because the “Flight 007” ticket cannot be used at the San Francisco Giants’ venue.

Furthermore, as shown in Fig. 2 above, the shared applet 202 does not have any tickets associated therewith. Instead, “[s]hared ticketing applet 202 provides functions common to each venue applet (e.g., ticket validation, protocols for communicating with ticket loader 104 and validation device 106) and therefore allows each venue applet to be smaller in size, thus

conserving storage space on smart card 100.” Col. 4, ln. 31-35. Therefore, there are never any tickets assigned to shared applet from a venue applet, or from a venue applet to the shared applet.

Accordingly, Goldstein fails to disclose or suggest “assign at least one of the plurality of electronic tickets from the first information storage chip to at least a second information storage chip which is separate from the first information storage chip” as the Patent Office alleged.

Moreover, even if, *arguendo*, Goldstein’s applets do teach “assign at least one of the plurality of electronic tickets from the first information storage chip to at least a second information storage chip which is separate from the first information storage chip” and Lewis could be modified to include Goldstein’s applets, it would not have been obvious to further modify Lewis such that “*the first information storage chip is mounted on a first portable device that performs non-contact communication, and the second information storage chip is mounted on a second portable device that performs non-contact communication*” as claimed.

The Patent Office recognized that Lewis does not teach this element, and instead relied on Takayama. Even if, *arguendo*, Takayama teaches separate portable devices, it would not have been obvious to mount Goldstein’s shared ticketing applet on a separate portable device from a venue applet because the shared ticketing applet is necessary for the venue applet to interface with external devices. Goldstein, col. 4, ln. 27-44. Thus, the shared ticketing applet must be in the same smart card as the venue applet or Goldstein’s smart card would be inoperative. Similarly, Goldstein’s various venue applets must be in the same device for the device to interact with the associated venues. On the other hand, Applicants claim “the first information storage chip is mounted on a first portable device that performs non-contact communication, and the second information storage chip is mounted on a second portable device that performs non-contact communication.”

Accordingly, Applicants respectfully request the obviousness rejections with respect to independent Claim 29, and the claims that depend thereon, be reconsidered and withdrawn.

#### Dependent Claim 64

Applicants maintain that Sasaki fails to teach “before assigning the at least one of the plurality of electronic tickets from the first information storage chip to the second information storage chip, causing the electronic ticket platform center to: (a) receive identification

information of the second information storage chip specified by the user of the first information storage chip; (b) receive a password, specified by the user of the first information storage chip, for writing the at least one of the plurality of electronic tickets into the second information storage chip” as recited in Claim 64, and in fact teaches away from using IDs and passwords.

In response to Applicants’ arguments made in the Response dated September 28, 2011, the Patent Office stated:

In addition, applicant argues that Sasaki does not disclose using IDs and passwords as described in the present invention, since Col. 30, lines 15-22 of Sasaki discloses “Thus, the personal consumer need not register his or her ID or password for the provider and need not enter the ID or password each time and safety is enhanced and the convenience of the personal consumer is also improved. The service provider need not provide a database for managing the information of the registered membership IDs, passwords, etc., and the costs of the entire system can be reduced”, and applicant further argues that Sasaki discloses that IDs and passwords are not entered, and that no database is provided to manage IDs and passwords. However, examiner interprets that this passage of Sasaki shows that the ID and password do not need to be entered each time. Thus, in Sasaki, *the ID and password need to be entered in at least one time*, and examiner therefore disagrees with the applicant’s analysis of the Sasaki reference.

Office Action, p. 22 and 23. (emphasis added). Applicants respectfully disagree with the Patent Office’s interpretation of Sasaki, and submit that an ID and password are never entered during Sasaki’s authentication method..

First, the Patent Office’s interpretation that “the ID and password need to be entered in at least one time” is inconsistent with the rest of Sasaki’s disclosure. Sasaki explicitly discloses “the personal consumer *need not register his or her ID or password* for the provider” and “[t]he service provider *need not provide a database for managing the information* of the registered membership IDs, passwords, etc.” Col. 30, ln. 15-22. Thus, if Sasaki does enter an ID and password as the Patent Office alleged, the entered ID and password would be of no use for authentication. For example, because the consumer does not register an ID and password in advance, there would be no way of associating the entered ID and password with the consumer. Likewise, because there is no database provided for managing registered IDs and passwords, there is no way to check whether the entered ID and password are correct. In other words, entering a user ID and a password at least one time is useless for authentication unless the

consumer has already registered an ID and password, and there is a way to manage the registered information.

Second, the Patent Office provides no support or citation for its claim that Sasaki discloses “the ID and password need to be entered in at least one time.” Applicants respectfully submit that this is because no such citation exists. For example, rather than using an ID and password each time (or anytime) to authenticate a consumer, Sasaki only discloses using an electronic ticket to authenticate a user. Abstract, col. 2, ln. 47-65, and Figs. 7 and 8. The only time Sasaki discusses entering IDs and passwords is in the Background section to describe the problems associated with using IDs and passwords (Col. 2, ln. 25-43), and near the end of Detailed Description to discuss the advantages of using the electronic ticket over IDs and passwords (Col. 30, ln. 15-22). Thus, Sasaki specifically *teaches away* from entering IDs and passwords at anytime, and does not disclose “the ID and password need to be entered in at least one time.”

Therefore, the Patent Office’s assertion that Sasaki teaches “the ID and password need to be entered in at least one time” is in direct contradiction to the explicit language of Sasaki.

Accordingly, Applicants respectfully request the obviousness rejection with respect to dependent Claim 64 be reconsidered and withdrawn.

If the rejection is maintained, Applicants respectfully request the Patent Office i) provide a citation to support its interpretation of Sasaki, and ii) clearly explain how the alleged entered ID and password are used for authentication given that IDs and passwords are not registered, and no database is provided to manage IDs and passwords.

#### **New Claims**

Applicants note that Claims 67-93 have been newly added. The new claims are fully supported by the specification. For example, see at least paragraphs [0123]-[0273], and Figs. 1-4, 28-31, and 40 of the published specification.

Applicants respectfully submit that the subject matter as defined in the newly added claims is patentable over the cited art of record.

### Conclusion


An earnest endeavor has been made to place this application in condition for formal allowance, and allowance is courteously solicited. If the Examiner has any questions regarding this Response, Applicants respectfully request the Examiner contact the undersigned.

The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing.

Respectfully submitted,

K&L GATES LLP

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Thomas C. Basso  
Reg. No. 46,541  
Customer No. 29175  
Phone: 312-807-4310

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